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Notice of Allowability	Application No.	Applicant(s)	
	10/086,125	BAHARAV ET AL.	
	Examiner	Art Unit	
	Stephen Yam	2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to February 3, 2005.
2. ☒ The allowed claim(s) is/are 1-9,13-19,27 and 28.
3. ☒ The drawings filed on 27 February 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Holly Rudnick on March 23, 2005.

The application has been amended as follows:

In Claim 1, line 3, replace "blue" with --only blue--.

In Claim 1, line 4, replace "complement of blue" with --only complement of blue--.

In Claim 1, line 9, replace "complement of red" with --only complement of red--.

In Claim 1, line 10, replace "red" with --only red--.

In Claim 4, line 2, replace "said blue" with --only said blue--.

In Claim 13, line 1, replace "Claim 12" with --Claim 1--.

In Claim 13, line 8, replace "said blue" with --only said blue--.

In Claim 13, line 10, replace "said complement of blue" with --only said complement of blue--.

In Claim 13, line 15, replace "said complement of red" with --only said complement of red--.

In Claim 13, line 10, replace "red" with --only red--.

In Claim 14, line 3, replace "blue" with --only blue--.

In Claim 14, line 4, replace "complement of blue" with --only complement of blue--.

In Claim 14, line 10, replace "complement of red" with --only complement of red--.

In Claim 14, line 11, replace "red" with --only red--.

In Claim 16, lines 2-3, replace "said blue" with --only said blue--.

In Claim 27, lines 2-3, replace "said blue" with --only said blue--.

In Claim 27, line 4, replace "said complement of red" with --only said complement of red--.

In Claim 28, line 3, replace "said blue" with --only said blue--.

In Claim 28, lines 4-5, replace "said complement of red" with --only said complement of red--.

REASONS FOR ALLOWANCE

2. Claims 1-9, 13-19, 27, and 28 are allowed over the prior art of record.

3. The following is an examiner's statement of reasons for allowance:

The invention as claimed, specifically in combination with a first two-color photo-detector with a first element absorbing only blue light and a second element absorbing only complement of blue light, the first element in an elevated relation with, and electrically isolated from, the second element, also with a second two-color photo-detector with a third element absorbing only complement of red light and a fourth element absorbing only red light, the third element in an elevated relation with, and electrically isolated from, the fourth element, is not disclosed or made obvious by the prior art of record.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Edgar US Patent No. 6,593,558, teaches an image sensor with a first element above a second element and a third element above a fourth element, detecting different colors.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Yam whose telephone number is (571)272-2449. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta can be reached on (571)272-2444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2878

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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